



STATE OF ARIZONA

May 11, 2010

JANICE K. BREWER  
GOVERNOR

EXECUTIVE OFFICE

The Honorable Ken Bennett  
Secretary of State  
1700 W. Washington  
Phoenix, Arizona 85007

Re: House Bill 2462 (private property trespass towers)

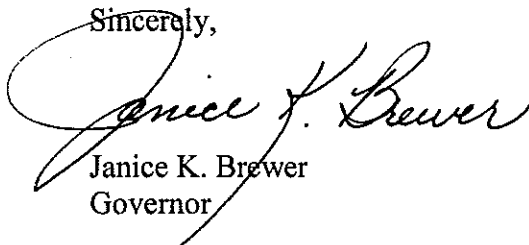
Dear Secretary Bennett,

Today I vetoed HB 2462. While I believe the Legislature is justified in their concern over some practices of towing companies that remove vehicles from private property, I am not able to support HB 2462. I believe the rate-setting and other requirements in the legislation need to be more carefully thought through and coordinated with those counties and municipalities already doing, or capable of doing, these tasks. In short, I am not yet persuaded of the need for the state to preempt local efforts or potential efforts.

I am persuaded, though, that if a state agency should be given the rate-setting and other duties prescribed in the legislation, resources must be appropriated or otherwise provided to ensure the new responsibilities can be effectively accomplished. The legislation assigns the responsibilities to the Department of Public Safety but does not provide the means to carry out the obligations. As a result, the Department would need to reassign officers away from law enforcement duties to private towing company oversight functions. While the Department's Commercial Vehicle Enforcement Bureau currently has some tow truck safety inspection duties, the additional responsibilities imposed by HB 2462 would necessitate a reallocation of personnel. Given the current state of the Department's budget, I believe such a reallocation to address private towing firms would be imprudent.

For these reasons I am vetoing HB 2462.

Sincerely,



Janice K. Brewer  
Governor

cc: The Honorable Kirk Adams  
The Honorable Robert Burns  
The Honorable Ed Ableser

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

## **HOUSE BILL 2462**

AN ACT

AMENDING TITLE 41, CHAPTER 12, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 12; PROVIDING FOR THE DELAYED REPEAL OF TITLE 41, CHAPTER 12, ARTICLE 12, ARIZONA REVISED STATUTES; RELATING TO PRIVATE PROPERTY TRESPASS TOWERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)